

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

EDWARD S. ADAMS,

Defendant.

17-cr-64-DWF-KMM

**STATEMENT OF FACTS  
IN SUPPORT OF  
EXCLUSION OF TIME  
UNDER SPEEDY TRIAL  
ACT**

Pursuant to 18 U.S.C. § 3161(h)(7)(A), I, Edward S. Adams, the defendant in this case, agree to the following statement of facts in support of the parties' Joint Motion to Continue Trial:

- Beginning on September 28, 2017, my counsel filed significant pre-trial motions. The Court issued its rulings on these motions on December 10, 2018. *See* Docket Nos. 232-33.
- Those motions concerned the government's execution of a search warrant for two of my Yahoo! email accounts. While the motions were being litigated, my counsel requested and the government agreed that it would not access certain emails that it seized pursuant to the search warrant.
- The government now seeks to access approximately 35,000 emails that it seized from my Yahoo! accounts. These are emails that were not viewed by the government during the execution of the search warrant, and as a result they have not been reviewed for privileged information by the parties. These emails likely contain a significant number of privileged communications. If the government is to review these emails, it must first take reasonable measures to protect privileged

information therein.

- My counsel and I believe (and the government has indicated it agrees) that trial, currently set for January 28, 2019, should be continued in order to provide time to resolve these issues.
- In addition, one of my lead attorneys is presently expecting, and will be unable to travel to Minnesota later in the winter. She anticipates being on maternity leave until approximately September 16, 2019.
- Thus, my counsel and I believe (and the government has indicated it agrees) that trial, currently set for January 28, 2019, should be continued until October 21, 2019 in order to provide sufficient time to resolve the remaining issues, to ensure continuity of counsel, and to prepare for trial.
- The Court previously excluded the period from March 31, 2017 (the date of my original arraignment) through January 28, 2019 from the Speedy Trial Act computations in this case. *See* Docket Nos. 108 & 169.

Based on the above facts, I request that the period of time from January 28, 2019 (the current trial date) until October 21, 2019 (the date my counsel and I have proposed as our trial date in this matter) be excluded from the time in which I would otherwise have to be brought to trial on my case.

I have discussed this matter with my attorney. I voluntarily make this request, with full knowledge of my rights under the Speedy Trial Act.

Dated: December 17, 2018

s/Edward S. Adams

Edward S. Adams, Defendant